

**TOWN OF HAMILTON
BOARD OF SELECTMEN
SEPTEMBER 23, 2013**

The Board of Selectmen met at Hamilton Town Hall at 6:00 p.m. on Monday, September 23, 2013 with Marc Johnson, Jeff Hubbard, David Neill, Jennifer Scuteri, Scott Maddern present. Town Manager Michael Lombardo, Finance Director Deborah Nippes-Mena, Recreation Director Sean Timmons, Community Preservation Committee Chair Tom Catalano, Finance & Advisory Committee Chair John McWane and Kristine Cheetham, Planning Board Coordinator also present.

Call to order

Chair Marc Johnson called the meeting to order at 6:00 p.m.

Special Presentation – Patton Park pool

Tim Sheehan and Karen Kelleher from the Aquatics Group – Weston & Sampson gave an initial presentation of design proposals for the reconstruction of the Patton Park pool as commissioned by the Town and created by their firm. Sheehan described his company's credentials and identified pool projects done in public and private sectors.

Sheehan spoke to findings from the Patton Park Pool Committee and noted that the current pool facility was built in the 1960s and was not living up to the community need due to age and need for repair (i.e., leaking). He also cited the constraints of the pool site at the park due to flooding issues from high groundwater after storm events and offsets from the pond. Sheehan suggested that as many trees as possible would try to be retained at the site while upgrading the pool and installing right sized septic system depending upon agreed to improvements.

He referred to results of the community survey done relative to the pool where 90.7% of responders said they would use the facility if it was improved. Sheehan mentioned the importance of balancing resident desire for a Town pool within a realistic budget for a small town. He summarized items for consideration based on community interest including tearing down and constructing a new bathhouse that meets code and has the correct number of facilities, a larger pool,

more deck space, family seating areas, kiddie pool, improved parking, concession area, additional lap pool, and year round pool facility.

Sheehan reiterated that the 50-plus year old pool was 25 years past the usual lifespan for a pool and due to repairs was not competitive size for swim meets since it only has five lanes. He suggested that it would cost the Town between \$15,000 and \$20,000 in repairs if it wanted to open the pool next spring. He also addressed three options that had been reviewed by the pool committee including refurbishing the existing facility, building a larger rectangular pool or zero entry L-shaped pool. Sheehan said the pool deck is in rough shape, noted that the repaired pool was a shell within a shell and mentioned the inadequacies of the lifeguard shed and bathhouse. He noted that the vision for the facility is to draw families into the space in the summer months for swim lessons, swim team and family swim.

Sheehan spoke to three options under consideration in early thought stage including: Option A - \$2.1 to \$2.3 million that consists of new bathhouse, new six-lane lap pool with starting blocks, baby splash pool, and new parking access; Option B - \$2.7 million contains new bathhouse, new six-lane pool with starting blocks and zero-entry learn to swim area and baby splash pool; and Option C - \$3 million for a maximum capacity of 434 people with options similar to B. The current pool accommodates 74 users.

He summarized that work is being done with Assessors to identify property lines and with Conservation Commission to determine wetland line although there is already disturbance. Also, the property will be surveyed and test pits done. Sheehan mentioned that consideration will be given to adding a second entrance to facilitate drop-off as well as increasing the number of parking spaces.

He outlined the costs in these projects such as demolition, site grading, new soils, septic system, lap pool, kiddie pool, infiltration system for large capacity municipal use and fence. The proposed project costs range from \$2.1 to 3.2 million and the corresponding capacity ranges from 218 to 438 users. Discussion ensued about whether or not it is prudent to build the project in phases due to it being easier to control costs and is less expensive when project work is done all at once.

In response to Jeff Hubbard who inquired about repairing existing pool, Sheehan noted that a full pricing analysis has not been done but reiterated that it is less expensive to build a new pool rather than repair the 52-year-old pool. Hubbard

referred to the size, scale and cost of area public pools (i.e., Manchester Bath and Tennis).

Discussion ensued relative to whether or not CPA funds would be used for the pool project when \$250,000 has already been allocated for pool project engineering. Scott Maddern suggested a better pool facility would allow for better programming and more users and expressed confidence in the information presented. Discussion addressed experience of consultant in determining the preliminary design and dollar estimates to be within 10% to 15% of a completed project. Although Town officials and consultant acknowledged that financial feasibility as it relates to return on investment and family user membership charges needs to be determined.

Selectmen updated resident Jen Flynn about upcoming public presentations on pool project on September 30, October 9 and at STM on November 4. Also mentioned was that Wenham's CPC would have a decision tomorrow morning regarding whether or not that community would contribute any CPA funds to the pool project.

Discussion ensued about possibility of zero entry pool increasing user base with young children and the senior population. Also addressed with Tom Catalano was engineering funding of \$250,000 from CPA funds and consideration of roadway safety if an additional curb cut was done on Bay Road. Town Manager Michael Lombardo noted that a traffic study has not been done but with the new playground open at Patton Park this use has further demonstrated the parking shortage at the park. He concurred that traffic flow would have to be studied relative to stacking of vehicles offsite but he emphasized that additional parking is needed. According to Finance Director Deborah Nippes-Mena, the funding spent today in the current contract with the consultant is \$70,500. Sheehan said his firm is looking at the package systematically. Lombardo noted that the spending has been contained to get Hamilton to a decision point.

Discussion with residents Jack Hauck, Duke Seaver and Bob Gray addressed economic feasibility to operate and maintain an upgraded aquatic facility, that 300 households had responded to community survey, if the pool should be filled in due to the number of users (Sean Timmons reported that as many as 300 people per day use the pool in the summer, nearly all residents – 1/3 Wenham, 2/3 Hamilton), that septic system would need to be a pressure system with leaching field, how a family pool-like facility would not serve swim team or residents interested in lap swim.

Discussion revisited possibility of using CPA funds and Jennifer Scuteri stated her belief that \$2 million in CPA funds could be used in Hamilton for this project without raising property taxes and that Wenham should contribute to the project. Marc Johnson noted that every vote for a CPA funded project would have to go through CPC meetings and Town Meeting. Hubbard suggested that the \$70,000 should be used to design a more realistic pool facility. Johnson expressed that the community has more than one perspective on the proposed project and he reiterated that the next meeting on the pool would be held at the Hamilton Wenham Public Library on September 30.

Public Comment

Jack Hauck, Knowlton Street, raised the issue of the current status of the ECO and how Hamilton is losing state funding and financial contribution from Wenham since that municipality joined the regional emergency call center in Middleton and the Town is going it alone funding Hamilton's ECO. He recommended the Town make a decision to move forward efficiently and cost effectively and asked for a status report on if Hamilton is pursuing ECO partnership with other towns (i.e., Manchester and Ipswich). Lombardo, Johnson and Scuteri suggested that there is a long term need for a better solution, that this was a hard vote since it is costing the Town more money although there remains risk in going to Middleton, and that the ECO is high on the list in budget discussion.

Carin Kale, President of the League of Women Voters, outlined LWV's priorities to identify the needs of elders in Town and sponsor two forums to explain Chapter 61A and Chapter 61B tax exemptions. Also to be investigated is if local fire departments in Hamilton and Wenham should be regionalized, as well as best practices at Town Meeting. Discussion ensued about whether or not ECO could be part of fire department. Kale mentioned that LWV information could be found on the Town's website.

Town Manager's report

Town Manager Michael Lombardo explained that as part of the process of capping the landfill soils would be brought in from Brigham & Women's. He is ready to sign a contract with the medical organization. This will defray the cost of the capping since the Town will be paid per ton for 80,000 tons of soil resulting in \$450,000 in direct revenues and defrayed project costs of \$300,000. He noted how the site was going to be graded to enable potential future solar use. In

addition, bids would be going out for the grading and capping with effort to cut the project cost of \$2.2 million in half. Lombardo described how the engineering consultant working with the Town has identified that there is a glut of soils and the soils Hamilton is expecting to receive will be tested and monitored to ensure they meet permeability specifications set by DEP.

Recognition

State Representative Brad Hill and Selectman Scott Maddern recognized the Steering Committee for its outstanding volunteer service to the community, which produced the new Patton Park Playground: Emily Sumner, Holly Regan, Jennifer Daniels, and William Boardman.

CONSENT AGENDA

Johnson read the items on the consent agenda.

Appointment of Kevan Sano, to HWCAM Board of Directors as a Joint Hamilton Wenham candidate, recommended by the HWRSD School Committee.

Approve Minutes – August 27, 2013 – Regular Session, September 4, 2013 – BOS and All Land Use Boards, and September 9, 2013 – Regular Session. Johnson requested more time to review September 4, 2013 minutes.

Johnson entertained a motion to accept the Consent Agenda. Maddern so moved without September 4, 2013 minutes. Scuteri seconded the motion. VOTE: Unanimous.

AGENDA

Review H-W Public Library fees with Wenham

John McWane explained that Hamilton had historically been paying 10% of HW Public Library administrative annual costs (\$50,000 of \$500,000) which the Town Manager and Finance Director thought was excessive. Conversations have occurred with Wenham town officials since FY'12 to recognize the true costs to manage the library and that number is \$22,000 a year with Hamilton's pro-rated share equaling \$16,000 a year. Moving forward, the two towns will split the difference for the FY'13 cost and Hamilton will pay \$16,000 annually beginning in FY'14.

Also noted was that joint Council on Aging van costs for Hamilton ended on June 30, 2013 rather than continuing until November 2013.

Cell Tower By-law and Amendments for Fall Town Meeting

Kristine Cheetham said the Planning Board acknowledged that there is not good cellular telephone service in Town and added that the board can waive height and setback requirements so this is not inhibiting cell towers in Hamilton.

Johnson and Scuteri noted that using a waiver goes through an appeals process and amending the by-law would be clearer.

Discussion ensued about if the by-law as it is currently written is too challenging for people who want to locate towers in Hamilton. Also addressed was how hidden towers (i.e., in church steeples at the Congregational Church in Hamilton and First Church in Wenham) comply with the by-law. Scuteri mentioned how if a cell tower were located at either the Town Hall or public safety building site that would bring in revenue to the Town. Discussion addressed how Scuteri could research existing information on the topic, and that the Planning Board wanted a written memo from Johnson and Scuteri regarding flexibility in the Town's by-laws (i.e., siting housing at Patton Homestead property) since they are members of Patton Property advisory committee.

Consider support for Mass. Downtown Technical Assistance Grant

Discussion ensued about the availability of a \$10,000 maximum technical assistance grant that consists of eight categories that focus on ways to brand a municipality's downtown and could be applicable for Hamilton. A grant application would have to be submitted in November.

Hubbard moved that the Board of Selectmen supply a letter to Kristine Cheetham, Planning Board Coordinator, stating the Board's support for her to apply for the grant for the Town. Scuteri seconded the motion. VOTE: Unanimous.

Also mentioned was that Hubbard as a resident versus Board member came before the CPC to discuss possibility of CPA funds being used for gas lanterns for downtown. Town officials agreed that this action should be done together amongst Town boards and it was noted that if approved, lanterns would not be installed during the winter.

Review and close Warrant Articles for Fall Town Meeting

Finance Director Deborah Nippes-Mena summarized the proposed warrant articles for STM. Details addressed included adding missing words and correcting words, that warrant would put up on website once final within 24 hours, that CPC article would include funds for the pool and that other funding sources could be used for the pool project, and the Town Moderator would be asked for permission to do a report on pool project at STM. Discussion addressed \$65,000 as estimate of Meals Tax revenue that was voted at ATM.

Johnson entertained a motion to close the warrant. Maddern so moved. Hubbard seconded the motion. VOTE: Unanimous.

Review BOS Committee Policy

Hubbard raised his concern that BOS Committee Policy was not being consistently implemented across Town committees where he said they are not held to a uniform standard or compliance with having a defined and written charge. He specifically mentioned Patton Property Advisory Committee and Pirie Property Working Group.

Discussion ensued about whether or not the Selectmen had voted for the Patton Property Advisory Committee to focus on housing and changes in the gift agreement. Scuteri suggested the Board minutes be reviewed to identify vote and Johnson said the Selectmen had already discussed this and vote indicated plurality. Board members noted that the advisory committee had advised Town Meeting regarding accepting the Patton Homestead property gift and had been recharged to make a recommendation on uses at site.

Vote to address downtown Capital and Maintenance issues at Budget Planning

Discussion addressed importance of addressing a maintenance plan operationally to perhaps allocate \$10,000 of annual Meals Tax revenue for maintaining better appearance of Hamilton's downtown. This level of service has been disproportionately low and will be addressed in budget cycle to set expectation relative to resources and to build support.

Set date for next Board of Selectmen meeting

The Board had previously agreed to October 7 and October 21 as its next regularly scheduled meetings. It was noted that Board members would attend upcoming Patton Pool meeting on September 30.

NEW BUSINESS

Consideration of topics for discussion at future Selectmen's meetings

Discussion ensued about topics for future Board meetings including: ECO – need to update public and schedule meetings with Manchester and Ipswich to discuss partnership, review goals and objectives, liaison roles, and CPC process relative to submitting project requests (i.e., gas lanterns downtown relative to HDC long term needs).

Johnson entertained a motion at 9:10 a.m. to adjourn the meeting. Hubbard so moved. Scuteri seconded the motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST:



Clerk